

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Rayfort Knight,

Petitioner,

v.

Civ. No. 06-3992 (JNE/JSM)
ORDER

Marty C. Anderson, Warden,

Respondent.

This case is before the Court on a Report and Recommendation issued by the Honorable Janie S. Mayeron, United States Magistrate Judge, on October 13, 2006. The magistrate judge recommended that Petitioner's application for leave to proceed in forma pauperis be denied and that his application for habeas corpus relief under 28 U.S.C. § 2241 be dismissed for lack of jurisdiction. Petitioner objected to the Report and Recommendation. The Court has conducted a de novo review of the record. Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Petitioner's application for leave to proceed in forma pauperis [Docket No. 2] is DENIED.
2. Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241 [Docket No. 1] is DISMISSED for lack of jurisdiction.
3. Petitioner's motion for summary judgment [Docket No. 8] is DENIED AS MOOT.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 15, 2006

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge